SENATE BILL   No. 711

Introduced by Senator Wolk
(Coauthor: Senator Wieckowski)
~~(Coauthor: Assembly Member Alejo)~~
(Coauthors: Assembly Members Alejo and Dodd)

February 27, 2015

LEGISLATIVE COUNSEL'S DIGEST

An act to amend Section 6360 of the Business and Professions Code, *and to add Section 19307 to the Education Code,* relating to law libraries.

SB 711, as amended, Wolk. Law libraries: charges.

(1) Existing law establishes a board of law library trustees in each county and requires each board to establish and maintain a law library at the county seat in the county in which it is appointed.

Existing law authorizes the board of law library trustees to permit the removal of any books and other publications from the library and its branches as it considers proper, subject to the rules, and in its discretion, the giving of security as the board provides. Existing law authorizes the board to provide for the levy of fines and charges for violation of the rules, and authorizes the board to impose charges to cover the cost of special services, such as the making of photocopies of pages of library books and messenger service.

This bill would additionally authorize the board to impose charges for electronic delivery, other delivery services, educational programs, special events, and provision of supplies or food services.

(2) Existing law establishes the California State Library under the direction of the State Librarian. Existing law specifies the duties of the

State Librarian, including giving advisory, consultative, and technical assistance with respect to public libraries to librarians and library authorities, making studies and surveys of public library needs, and adopting rules and regulations for the allocation of federal funds to public libraries.

This bill would define a "public library" for purposes of the provisions governing the California State Library to mean any public library, as defined for purposes of the Education Code, or any county law library.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ *yes*. State-mandated local program: no.

The people of the State of California do enact as follows:

1   SECTION 1. Section 6360 of the Business and Professions
2 Code is amended to read:
3   6360. A law library established under this chapter shall be free
4 to the judiciary, to state and county officials, to members of the
5 State Bar, and to all residents of the county, for the examination
6 of books and other publications at the library or its branches.
7   The board of law library trustees may permit the removal of such
8 books and other publications from the library and its branches as
9 it considers proper, subject to such rules, and, in its discretion, the
10 giving of such security, as it may provide to ensure the safekeeping
11 and prompt return thereof, but no security shall be required of
12 members of the judiciary or county officials. The board may
13 provide for the levying of fines and charges for violation of the
14 rules, and may make charges for special services, such as the
15 making of photocopies of pages of library books, electronic
16 delivery, messenger and other delivery services, educational
17 programs, special events, and provision of supplies or food
18 services.
19   The board of law library trustees may require persons other than
20 members of the judiciary, county officials, and members of the
21 bar resident in the county, to pay such dues as the board may fix
22 for the privilege of removing books and other publications from
23 the library. With the approval of the board of supervisors, the board
24 of law library trustees may charge individual members of the bar
25 resident in the county fees for the removal of books and other

1 publications from the library. These fees shall not exceed the cost
2 of providing the service.
3   *SEC. 2. Section 19307 is added to the Education Code, to read:*
4   *19307.   As used in this chapter, "public library" means any*
5 *public library as defined in this code, or any county law library*
6 *established pursuant to Chapter 5 (commencing with Section 6300)*
7 *of Division 3 of the Business and Professions Code.*

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